



4 February 2020

Mr F. O'Halloran & Mr D. Cherry
Directors
James Richmark Pty Ltd
Unit 1, 70 Sunrise Boulevard
Surfers Paradise QLD 4217

-via email-
peter@bashaplanning.com.au

Dear Mr O'Halloran & Mr Cherry

Voluntary Surrender of MP 07_0072 (Part 3A Concept Plan Approval) for Orange Private Hospital

I refer to the notice of voluntary surrender of the Part 3A Concept Plan Approval, provided to the Department of Planning, Industry and Environment (**Department**) and dated 10 January 2020.

I am writing to inform you that the Department has reviewed this notice and is satisfied that it complies with the requirements in respect of the voluntary surrender of a former Part 3A concept plan approval in clause 8P, Schedule 4 of the *Environmental Planning and Assessment (Savings, Transitional and other Provisions) Regulation 2017*.

Accordingly, the Department confirms that the voluntary surrender of the Part 3A Concept Plan Approval takes effect on the date of this letter.

The Department's view is that the determinations under s 75P of the former Part 3A of the *Environmental Planning & Assessment Act 1979* (as described in (b) and (c) of the Instrument of Approval for MP 07_0072), cease to have force or effect upon the surrender of the Part 3A Concept Plan Approval which those determinations relate to. However, the surrender of the Part 3A Concept Plan Approval does not result in the surrender of the Project Approvals referred to as MP 08_0232 and MP 08_0233 (as set out in schedules 2-3 of the Instrument of Approval). The development subject of those Approvals was declared to be State significant development by order made on 19 September 2018, with the effect that those Approvals are now taken to be development consents.

For further enquiries, please contact David Gibson on (02) 9274 6241 or via email at david.gibson@planning.nsw.gov.au.

Yours sincerely

Karen Harragon
Director
Social and Infrastructure Assessments

4/1/2020